



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicants Broadfield et al. Atty. Docket No.: PYX3019C1
Serial No.: 10/042,061 Examiner: G. Crawford
Filing Date: January 7, 2002 Art Unit: 1615
Entitled: SYSTEM AND APPARATUS FOR THE STORAGE AND DISPENSING
 OF ITEMS

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10(A)

Date of Deposit: 7-16-03

I hereby certify that this correspondence is being deposited with the U.S. Postal Service, as U.S. Express Mail No. EV294968079US in an envelope addressed to the Commissioner for Patents, MAIL STOP – OFFICE OF PETITIONS (FEE), P.O. Box 1450, Alexandria, Virginia 22212-3513.

Jennifer Warner
Jennifer Warner

**VERIFIED STATEMENT OF FACTS IN SUPPORT OF
PETITION FOR REINSTATEMENT**

I, Jennifer S. Warner, hereby depose and state the following:


1. I am the Intellectual Property Administrator for Cardinal Health, Inc. and report to Michael D. Steffensmeier Esq., Senior Intellectual Property Counsel for Cardinal Health, Inc..
2. Pyxis Corporation, assignee of the above application, is a wholly-owned subsidiary of Cardinal Health, Inc.
3. I receive all incoming correspondence related to patents and trademarks at Cardinal Health and docket due dates, pull the file and give the files and correspondence to the responsible attorney.
4. On January 7, 2002, the above application was filed with the USPTO.
5. The self-addressed, stamped postcard that we filed with the application was received shortly thereafter indicating the serial number and confirming the filing date of the application.

6. An entry was made on our docketing system for 6 months from the filing date to file an Information Disclosure Statement. A Supplemental IDS was filed on July 9, 2002.
7. A date of July 15, 2003 was placed on the docketing system to double check the status of the application.
8. On July 15, 2003, a call was made by the responsible attorney, Michael Steffensmeier, to the Examiner in the parent application, Gene Crawford, to determine the status of the application.
9. Mr. Steffensmeier transferred a voice mail message to me that was left by Examiner Crawford, who said that the application never made it to him and that it was still listed as being with the Initial Patent Examination Division (IPED)
10. I placed a call, on July 15, 2003, to the IPED (Mrs. Young). She said that a Notice to File Missing Parts had been sent to us on February 21, 2002 and was never responded to. She faxed me a copy of this Notice so that we could petition to reinstate the application.
11. I never received the Notice to File Missing Parts allegedly mailed on February 21, 2002 and only had the docket entry for the status update on the docketing system.

By: Jennifer Warner
Jennifer S. Warner
I.P. Administrator
Cardinal Health, Inc.

State of Ohio
County of Franklin, ss:

Sworn to before me and subscribed in my presence this 16th day of July, 2003.

M. Sue Beard
Notary Public

M. SUE BEARD
Notary Public, State of Ohio
My Commission Expires
August 4, 2007